IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.579 OF 2007

1.Shri.Sanjay Rajendra Shinde,
2.Shri.Vijay Pralhad Pawar,
3.Shri.Dada Sardar Shinde,
4.Shri.Somnath Mahadev Pawar,
5.Shri.Phoolchand Mahadev Pawar,
6.Shri.Subhash Bhaskar Kale,
7.Shri.Subhash Sheru Kale,
8.Shri.Laxman Ujnya Shinde,
9.Shri.Shaifq Matya Kale,
10.Shri.Ashok Matya Kale, &
11.Shri.Suresh Shahaji Kale. ...Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.S.M.Borkar, Adv. for the Applicants.
Mr.S.R.Shinde, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 21st June, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking bail in C.R.No.96 of 2006 of Jejuri Police Station, District - Pune. The said case is mainly under Section 395 of IPC. The said case is now transferred to LCB, Pune.

3. Mr.Borkar, the learned Advocate for the applicants has submitted that as far as applicant No.6 Subhash Bhaskar Kale, applicant No.8 Laxman Ujnya Shinde, and applicant No.11 Suresh Shahaji Kale are concerned he is not pressing this application for bail and seeks liberty to prefer a fresh application for bail in respect of applicant Nos.6,8 & 11 before the Sessions Court in view of the fact that the chargesheet has been filed. Liberty as prayed for is granted. Hence, this application is being considering only in respect of applicant Nos.1 to 5, 7, 9 and 10.

4. It is the prosecution case that on 22.8.2006 the complainant Prashant came to be assaulted and thereafter gold ornaments and cash from his shop came to be robbed by the culprits. As far as applicant Nos.1 to 5, 7, 9 and 10 are concerned, the complainant has not identified them in the TIP nor is there any recovery at their instance.

5. In this view of the matter, I am inclined

to grant bail to applicant Nos.1 to 5, 7, 9 and 10.

6. Applicant No.1 - Sanjay Rajendra Shinde, applicant No.2 - Vijay Pralhad Pawar, applicant No.3 - Dada Sardar Shinde, applicant No.4 - Somnath Mahadev Pawar, applicant No.5 - Phoolchand Mahadev Pawar, applicant No.7 - Subhash Sheru Kale, applicant No.9 - Shaifq Matya Kale, and applicant No.10 - Ashok Matya Kale to be released on bail in the sum of Rs.20,000/- each, with one or two sureties to make up the said amount. The sureties shall be local sureties. The applicant Nos.1 to 5, 7, 9 and 10 shall report to LCB Office, Pune twice in a week, till conclusion of the trial.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)